

Mississkoui



Standard

J. M. FERRES, EDITOR.

VOL. I.

Let Justice preside and Candour investigate.

J. D. GILMAN, PRINTER.

FREELIGHSBURG, L. C., TUESDAY, MARCH 1, 1836.

NO. 47.

TERMS.

Ten shillings currency per year, payable at the end of six months. If paid in advance £1. 3d. will be deducted. If delayed to the close of the year £1. 3d. will be added for every six months delay. Grain and most kinds of produce taken in payment.

To mail subscribers the postage will be charged in addition.

No paper discontinued, except at the discretion of the publishers, until arrears are paid.

RATES OF ADVERTISING.

Six lines and under, two shillings for the first insertion, and six pence for each subsequent insertion.

Above six lines and not exceeding ten, two shillings and nine pence; every subsequent insertion seven pence half penny.

Above ten lines, three pence per line for the first insertion, and one penny for each subsequent insertion.

A liberal discount to those who advertise by the year.

Advertisements not otherwise ordered will be inserted till forbidding in writing and charged accordingly.

Communications must be addressed to JAMES MOIR FERRES, Editor; and if by mail, post paid

Agents for the Standard.

Messrs. J. & T. A. Starke, Montreal, Mr. W. Brent, Quebec.

Daniel Campbell, Esq. Pigeon-hill, Mr. Elihu Crossett, St. Armand.

Dr. H. N. May, Philipsburg.

Galloway Freigh, Esq. Bedford.

Capt. Jacob Ruiter, Nelsonville, Dunham.

Albert Barney, Esq. P. M., Churchville.

Jacob Cook, Esq. P. M., Brome.

P. H. Knowlton, Esq., Brome.

Samuel Wood, Esq. M. P. P., Farnham.

Whipple Wells, Esq., Farnham.

Mr. Henry Borth, Sutton.

William Davis, Esq., Stanbridge Ridge.

Maj. Isaac Wilsey, Henrysburg.

Henry Wilson, La Cole.

Levi A. Coit, Potton.

Capt. John Powell, Richford, Vermont.

Mr. Nathan Hale, Troy.

Albert Chapman, Caldwell's Manor.

Capt. Daniel Salls, parish of St. George.

E. M. Toof, Burlington, Vt.

Mr. Enos Bartlett, jun., East part of Sutton.

Persons, wishing to become Subscribers to the Mississkoui Standard, will please leave their names with any of the above Agents, to whom also, or at the Office in Freleighsburg, all payments must be made.

MR. FELTON'S DEFENCE.

REMARKS on a Report of a committee of the house of assembly, submitted for the consideration of the members of the legislature and the public at large.

It appears by the newspapers, that a committee of the house of assembly has submitted to that Honourable Body a Report which, if public rumor may be relied on, contains charges of a calumnious and defamatory nature reflecting on my character and conduct as a public officer.

I have long been aware that certain imputations injurious to my reputation were entertained by the assembly, and I have anxiously awaited their exhibition, that I might be able to meet and refute them.

The charges being directed against me as a public officer, I had a right to expect that communication of them would be made to the Executive; but so far as I can learn no petition or complaint on the subject has been brought under the notice of Government.

I had equally a right to expect that the hon. gentleman who brought the complaint before the assembly would, from his station in the country, have felt it to be courteous at least, if not just, to afford me an opportunity of explaining or vindicating any doubtful point in my conduct, but I have not been favored with any intimation of a desire on his part to obtain information on the subject; altho' in noticing an anonymous attack in the newspapers, I professed my readiness to afford any disinterested enquirer all the explanation required; further than this I could not go consistently with my ideas of public duty, conceiving that an officer under government ought not to answer anonymous accusations in the public journals brought against him in his official capacity, his time and talents belonging to his employer, to whom alone he is responsible for their application, as well as for his official conduct.

It is thus evident that the parties interested in propagating the reports against me did not find it convenient to afford me the opportunity of refuting them.

So soon however as it became known that the committee had made a report to the assembly, I have considered myself authorized to take public notice of it, and I instantly addressed a memorial to his Excellency the Governor-in-Chief, praying him to institute an inquiry into the charges, whatever they might be, of which however I had but an imperfect knowledge, for the secrecy of the proceedings in the committee prevented me from ascertaining the scope of the accusation or the evidence on which it was founded.

Having subsequently learnt from public rumor, that one of the charges is a subject that forms the matter of a special grievance,

to which allusion had been made in the house of commons, I felt myself justified in calling upon the Royal commissioners to take cognizance of it and to enquire into the particulars connected with it.

If the results of this investigation could be circulated at the same time with the allegations to which they refer, I should count with perfect assurance on the judgment of the public; but it will be impossible for the Governor or the Royal commissioners to afford me the opportunity by the committee, of prefacing with a labored statement drawn up with all the skill of a special pleader, giving an exparte and falsely colored view of the object of my appointment as agent for Ascot; and it is followed by a list of persons to whom it is said I sold lands which it was my duty to grant to them gratuitously, and that I applied the monies to my own use; some subordinate imputations follow this charge, but they all rest on the same foundation.

In this time of political strife and excitement, men honest and estimable in other respects, hold themselves absolved from all moral obligation in their conduct towards their political opponents. In their eagerness to crush an adversary, a committee of the Assembly has lent itself to the gratification of private revenge, and has adopted charges brought forward against the obnoxious individual by the rancour and malice of personal vengeance; forgetful that in profiting by the injury inflicted on him at the expense of truth and justice, they participate in the infamy of the conspiracy by which that object has been accomplished.

To the assembly which has thus deliberately sanctioned the propagation of a slander, it would be in vain to look for justice.

It is under these circumstances that an appeal to the public becomes necessary.

I do not address myself to the feelings nor do I wish to excite the sympathies of the public; although the persecution to which I am exposed would justify me in seeking their protection; I ask only to be heard.

I shall now proceed to state and answer the charges embodied in the Report of the committee, with as much succinctness as may be compatible with a proper understanding of the subject.

The first charge relates to my personal affairs solely. It states that I have been resident in Ascot since the year 1816; that I have dealt largely in land; & that I have received considerable grants of land from the Crown.

To that part of the charge which asserts that I deal largely in land, I reply that the statement is not merely exaggerated, but absolutely false. I have not dealt largely in land, nor have I even purchased largely, and have sold very little. This bold and unqualified assertion of a fact, unsupported by evidence, is a specimen of the fairness and candor of the Report.

In respect to the grant of lands which I have received from the Crown, the public has a right to know on what grounds they were obtained; to afford this explanation, and at the same time to defeat the intention of my accusers in vilifying the private character, as well as my public conduct, I am compelled, though most reluctantly, to obtrude my personal affairs on the notice of the public. These motives must be my apology for attempting to place, in the true point of view, the relation in which I stood towards the Government at the time to which the attack on me has reference.

The Committee, in stating that I received considerable grants of land from the Crown, would leave it to be inferred that there were no considerations to justify these grants.

They do not think proper to notice the strong claims that I had upon Government for services rendered to the Crown, prior to my arrival in the colony, which alone would authorise the bounty of the Crown being extended to me.

The Committee makes no mention of the fact, that the original grant of ten thousand acres of land, promised to me before my departure from Europe, but not perfected until some years after, was the condition upon which I embarked my property in the enterprise; and that it was thus a matter of right, not of favor, being in truth nothing but the completion of a bargain for which I had paid the equivalent; neither do they make any allusion to the circumstances which appear in the correspondence submitted to the committee, which establish the injury that I sustained in consequence of the Government not performing its engagement in making the grant as promised to me on my arrival in this country....a proceeding which deprived me of some of the lands most important to the success of my settlement, that were given to absentees, who, from that day to the present, have not cleared an acre nor expended a shilling on the grants.

They omit to state, that notwithstanding

the breach of the engagement on the part of the Government, the obligations undertaken by me were fulfilled to the letter, before the original promise of the Secretary of State was redeemed; that mine was a solitary instance of the conditions of residence being complied with; and that capital brought with me was applied to the improvement of the country and the cultivation of the grants.

The next charge brought against me by the committee, is prefaced with a labored statement drawn up with all the skill of a special pleader, giving an exparte and falsely colored view of the object of my appointment as agent for Ascot; and it is followed by a list of persons to whom it is said I sold lands which it was my duty to grant to them gratuitously, and that I applied the monies to my own use; some subordinate imputations follow this charge, but they all rest on the same foundation.

I must premise my reply to these allegations by remarking that in preparing the list of persons to whom I am accused of selling land, the committee has most ingeniously & artfully mixed together the parties who obtained land from me as laborers, with those who actually bought lands which I was entitled to sell on account of my percentage; and that in respect to the individual facts brought in support of the accusation, some are untrue, others exaggerated, and all imperfectly stated, in as much as they exhibit only so much of each transaction as it suited the purpose of the committee to produce.

But even admitting the general charge in its most exaggerated form: I answer that the very few sales made for money, were of land of which I had a right to dispose on account of my percentage; and that the others were not sales for money but transactions with my laborers, in which not a farthing of money was paid by them, but on the contrary where money had been advanced by me to enable them to commence their settlement.

For the proof of my right to give lands to my laborers, I refer to the documentary evidence in possession of the committee; by which it will be seen that after a protracted correspondence with government, and after the mission of one of my associates to London, at great expense to establish my claim to the fulfillment of the expectations held out to me by the colonial office, a dispatch from the secretary of state authorizes me to obtain for each of my laborers the grant of one hundred acres of land; subject, however, to the condition of actual residence and cultivation. The committee has omitted all mention of this authority....Is the suppression of this fact to be attributed to remissness or design.

I shall now show in detail, some of the exaggerations and the false coloring of the statements prepared by the committee. It is said that in February, 1822, 'Mr. Felton was appointed Agent for the settlement of Ascot, Stoke and Hatley,' and the committee assert that 'it was intended to attract settlers by the offer of a valuable premium,'—this inference is wholly gratuitous and unfounded; the absurdity of the notion of attracting settlers by a valuable premium is exposed in another part of the report by the committee themselves where they describe the duties annexed to the grant as a 'laborious task,'—the fact is, that at the time I began to place my laborers on land (in 1817—18) and in that part of the Province, no European settler would accept of one hundred acres of land in the woods remote from a road, on condition of residence and cultivation; and it was only by making roads at a great expense and by advancing money or clearing a few acres, or setting up buildings that I could induce my laborers at that time, or for some years to become settlers on land; it is true that land has since been held in greater estimation, but it appears rather unreasonable that the change of circumstances and rapid improvement of the new Townships of late years which are much owing to my exertions, should now be made the ground of charges against me.

The real intention and object of my appointment was to enable me to obtain the patents for the land which I was entitled to give to my laborers under the Secretary of State's instructions. If the order for grants to my laborers had been unconditional, I should have obtained patents for them at once, by merely presenting their names; but being qualified by the condition of settlement and cultivation, it was necessary to perform these duties before the Patents could be issued; my appointment as Agent was, therefore made and accepted as the formal and official method of giving effect to these views, and the committee had the means of ascertaining this fact if their object had permitted them to make the enquiry. I made no applica-

tion for the appointment; at that time I was an independent settler, intently occupied with the enterprise that I had undertaken, and not at all disposed to take office under Government: the nomination was spontaneous on the part of the Governor in Chief; and the letter of appointment was handed to me by the Civil Secretary on the day after an interview when Lord Dalhousie signified the intention that I have

found, however, that the client in this case, has probably withheld one important fact at least from the knowledge of his patron.

The committee then assert, that 'Mr. Felton has charged and received his commission of five per cent upon the several grants as if they had been mere locations. Now the fact is that the percentage has not yet been fully received; all that has been received is included in the statement of sales brought forward by the committee; the agent certainly having a right to transfer his interest to that extent; and under the circumstances of my settlement I supposed it incumbent on me to establish the lands to which I might become entitled equally with others. As to the amount of the agency it is admitted by the committee that the list of located lands amounting to 18,060 acres, and the percentage due thereon, were certified to be correct by the Surveyor General. This list only includes those settlers for whom patents had been made out, and upon the amount of which agency was due and entitled to patent; but as there are many locations not yet patented, for which agency is accruing (which will be entitled to patent when patented) my claim is still open.

Having shown the false coloring put on the evidence by the committee, I proceed to point out the object they had in view; this may be collected from the means they have adopted, which have been, first, the suppression of the contents of an important despatch; next the quotation of fictitious documents falsely said to have been communicated to me, and lastly, by the omission of calling upon the Surveyor General for explanation, when they perceived the discrepancy between the fabricated documents which he had furnished to the committee in 1835, and the authentic documents sent by the Governor a few days before the committee made their report. All

these circumstances betray the intention of keeping out of sight my right to obtain land for my laborers, and of misrepresenting the nature and object of my nomination as agent.

It is possible, and I am willing to allow the committee the benefit of the doubt, that these commissions and oppressions proceed from ignorance of the contents of the papers furnished by the Governor; but in such case the members of the committee subject themselves to the suspicion of not having read those documents; and the report must have been made without a knowledge of their contents.

The Report indeed furnishes internal evidence of this fact, and there can be no doubt that as where there is a determination to convict, it is easy to pronounce sentence, so in this instance, the evidence has been made to suit the judgment.

The public may be disposed to acquit the assembly of any participation in such proceedings; and I am disposed to exonerate even the majority of the committee from that reproach. The assembly, however, has lent itself to the propagation of the calumny; and the committee has been an instrument of the vindictive feelings of the individual; and it is possible that this honorable individual himself has in his turn become the tool of inferior conspirators.

The origin of the persecution against me is to be traced to feelings growing out of a contest in the election for Sherbrooke.

In the anxiety to procure votes for one of the candidates, a number of my settlers not well disposed towards him, were tampered with by an individual too contemptible to be brought before the public, to whose malice I had become obnoxious, and expectations were held out to them of obtaining the influence of the Candidate, free grants for lands which they had acquired through me.

This expectation was founded on the circumstance of the names of the parties being inserted in the patents in the manner I have before explained; and the persons who were thus tempted, being cautiously withheld from communicating with me on the subject, acted under the delusion and voted accordingly.

To redeem the promises made to these people it was necessary to make out the case at which the committee has labored, but this could not be accomplished without the assistance of the public officer in whose custody all the documents connected with it were supposed to be lodged.

This officer whose flagrant negligence and irregular proceedings will entail ruin on many who fancy themselves in the secure possession of goodly Farms, and which had necessarily and frequently become the subjects of animadversions from me in the discharge of my official duty, is known to have been early occupied in his office with an honorable Member of the committee and another practitioner at the bar, in selecting materials to support this accusation; the result has been the communication to the committee of the assembly, which sat in Feb. 1835, of fabricated papers which

had never been sent to me as they pretend and the suppression of a document which would have distinctly shewn the true character of all the transactions as I have described them. This document is the account of Fees rendered to the Surveyor general in October, 1834.

It is possible that the honorable member of the committee was not aware of these circumstances at the time, but the communications since made from the Governor refer to it in such manner as to make it imperative on the committee to have called upon the Surveyor general for explanation.

Having answered the charges brought against me in my capacity of agent for the Townships, I shall now proceed to explain some points in charge of a more serious character, in which an attempt is made to inculpate the late administration. It is stated

that with the knowledge of the determination of his Majesty's Government to restrict the grants (to Mr. Felton's children) to one third of the land for which he had applied, Mr. Felton, availing himself of his official character, in effect represented that he was entitled under the dispatch in answer to his petition to the amount claimed; and it is a fact that he procured Letters patent to pass the great seal, conveying to him the whole number of acres which he had claimed;—and Mr. Felton thus knowingly and fraudulently exacted and received a grant of 10,000, acres more than it was intended to convey to him, and retains it to this day.

Now the whole of the first part of this statement is a misrepresentation of facts. My petition was presented to Sir James Kemp before the dispatch from the secretary of state was received; Sir James referred to the secretary of state, and I took no further steps whatever to forward the Patents after presenting my petition. All the proceedings subsequent to the receipt of the dispatch conveying the refusal of the secretary of state to grant the larger quantity of land, were made by the Civil secretary of Sir James Kemp, without reference to me.—These circumstances are so fully detailed in the correspondence submitted to the assembly, that it is surprising that the committee could hazard assertions so completely at variance with them.

The charge of 'fraudulently receiving a grant' cannot surely apply to the case wherein the party could exert no agency or influence over the proceedings. The fact is, that during the administration of Sir James Kemp I had no official charge of any of the proceedings relating to the preparation of patents and it was not until I was called upon for the payment of the fees that I became aware that the draft of the patent had reached the provincial secretary's Office. If I could by any possibility have had any influence in preparing patents different from the intentions of the Governor, it must have been with connivance of the Attorney General. The honorable James Stewart was Attorney General at that time, and, if necessary, the testimony of that Gentleman could be brought to show that he received the order from the Civil Secretary [Col. Yorke] and that he returned the draft when prepared to that officer, by whom it was sent for engrossing to the Secretary of the province.

In respect to the lands being yet in my possession by the omission of the late Administration to issue a writ of *scire facias* I can only say that I offered no resistance to the measures that the Government thought proper to adopt;—The King's Attorney general most probably saw good cause for not adopting the course pointed out by the committee and the subsequent proceedings are of a character to preserve the public interests and give full effect to the instructions of the Secretary of state.

In conclusion I must observe that the public being now in possession of the correspondence relating to this transaction, will by comparison of the fact therein stated, be enabled to appreciate the spirit and the misrepresentation which pervade the Report.

WILLIAM B. FELTON.

Quebec, 28th Jan'y, 1836.

PROVINCIAL PARLIAMENT

House of Assembly.

ROUTINE BUSINESS.

Tuesday, February 16.

Mr. Huot presented the 4th report of the standing committee of education and Schools; and the said committee was discharged from the further consideration of the petitions of the Trustees of Schools, Nos. 3 and 5, in the parish of Ste. Martine and they were referred to the committee on the four petitions presented yesterday, from the County of Beauharnois.

On motion of Mr. O'Callaghan, the further consideration of the Inland Customs bill, was fixed for Tuesday next; and the Despatches from the Secretary of State for the Colonies of Lord Aylmer, laid before the house yesterday, were referred to the committee on Lord Aylmer's Despatch of 18th March, 1835.

Mr. De Bleury reported on the Tavern-keepers' bill; committed for Friday next.

The Normal Schools Bill and the Jurors qualification bill were passed.

The Lumber Trade bill, and the bill from the Council to incorporate the parish of Notre-Dame de Bonsecours, were read the second time, and referred to separate special committees.

Wednesday, February 17.

Mr. Courteau obtained leave of absence till 25th proximo.

Mr. Dubord was added to the commit-

tee on the Report of the Chamby canal commissioners.

On motion of Mr. De Bleury the Council's amendments to the bill relating to differences between masters and mistresses and their servants, apprentices and laborers in the country parts, were agreed to, with the exception of the following: Tenthly, 'That whenever any laborer, mechanic, tradesman or other workman shall engage to perform any specific quantity or job of work for any sum of money not exceeding £5 currency, and shall refuse, neglect or fail to fulfil such agreement, or be guilty of a breach of any part of the same, he shall be liable to a penalty not exceeding 30s nor less than 5s currency, to be recovered in the manner aforesaid.' Yeas 20, Nays 42.

On motion of Mr. Perrault, that part of the Report of the special committee appointed to enquire concerning the death of John Collins, and into the state of the Montreal Gaol, which relates to the sheriff of Montreal was committed to the committee of the whole House on the first report of the special committee on fees and emoluments of the officers of courts of justice, concerning the said sheriff.

On motion of Mr. Gugy, the consideration of the first report of the special committee concerning the officers of the Executive Government, was fixed for to-morrow.

Mr. Godbout presented two petitions, and Mr. Cazeau one, from the inhabitants of the Island of Orleans, relating to the beaches; referred to the standing committee on agriculture.

The Resolutions passed in committee on Monday last, respecting Depots of Provisions, were reported, and concurred in with amendments.

The following are the resolutions as agreed to:

1st. That it is necessary to establish a new Depot of Provisions at the River Magdelene; and also to re-establish the Depot at l'ointe des Monts, as authorised by the Act 2d, William IV. Cap. 28.

2d. That it is also necessary to re-establish the four Depots of Provisions hitherto existing on the Island of Anticosti.

3d. That £72 10 0 be granted for the purchase of Provisions necessary for the Depot at Pointe des Monts.

4th. That £72 10 0 be granted for the Depot at the River Magdelene.

5th. 6th. 7th. 8th. That £36 5 0 be granted, for each of the Depots on the Island of Anticosti.

9th. That £25 be granted for the salary of the keeper of the Depot at river Magdelene.

10th. 11th. That £50 be granted for the salaries of each of the keepers of the Depots at Jupiter river, and at the West end of the Island of Anticosti.

Mr. Power then introduced a bill to establish Depots of Provisions for the relief of shipwrecked persons; second reading Saturday next.

The House made some progress in committee on the bill to prevent duelling; and the committee obtained leave to sit again on Tuesday next—yeas 41, nays 22.

The elementary education bill was amended in committee; to be reported to-morrow.

At a quarter past 11 o'clock at night, the House adjourned for want of a quorum.

Thursday, 18th Feb.

On motion of Mr. Fortin the reasons given by the absent members at the call of the house are to be taken into consideration on Monday next.

The elementary education bill was ordered to be engrossed.

The house went into committee on the 5th report of the standing committee of Grievances, relating to the honorable Mr. Justice Gale, and adopted the resolutions and addresses suggested in the same reported to the house and concurred in, upon a division of yeas 56, nays 7, Messrs. Baker, Blackburn, Clapham, Gugy, Knight, Moore and Wells.

Here eight resolutions were passed, ending with the prayer that his Excellency 'do take immediate steps to have the said Samuel Gale removed from the office of Judge of his Majesty's Court of King's Bench in this province.'

The Council's amendments to the Small causes bill were agreed to, yeas 40, nays 9.

The other orders of the day were postponed.

From the Farmers' Advocate.

The executive committee of the constitutional association for the Southern division of the County of Sherbrooke, met at Sherbrooke on the 12th inst. and adopted the following.

DECLARATION.

The state of public affairs in this province has lately assumed so threatening an aspect, that the constitutional Reformers of the Southern Division of the county of Sherbrooke have been prompted to follow the example of their brethren in other parts of the country, by enrolling themselves into an association to watch over their rights and privileges as free subjects of Great Britain, to preserve intact our connection with the parent state, and to guard against any encroachments upon the constitution as by Imperial Legislation established.

Mr. De Bleury reported on the Tavern-keepers' bill; committed for Friday next.

The Normal Schools Bill and the Jurors qualification bill were passed.

The Lumber Trade bill, and the bill from the Council to incorporate the parish of Notre-Dame de Bonsecours, were read the second time, and referred to separate special committees.

Wednesday, February 17.

Mr. Courteau obtained leave of absence till 25th proximo.

Mr. Dubord was added to the commit-

tee on the Report of the Chamby canal commissioners.

On motion of Mr. De Bleury the Council's amendments to the bill relating to differences between masters and mistresses and their servants, apprentices and laborers in the country parts, were agreed to, with the exception of the following: Tenthly, 'That whenever any laborer, mechanic, tradesman or other workman shall engage to perform any specific quantity or job of work for any sum of money not exceeding £5 currency, and shall refuse, neglect or fail to fulfil such agreement, or be guilty of a breach of any part of the same, he shall be liable to a penalty not exceeding 30s nor less than 5s currency, to be recovered in the manner aforesaid.'

In which the local administration of the present day has shewn itself partial to the revolutionary party of the province, and thus apparently participating in the national prejudices and enmity of the majority of the house of assembly, forgetful of the enlightened character of the source from which it derives its authority.

In which the Servants of Government have been deprived of the fair remuneration for their services for the last two years in breach of common honesty and good faith, while large sums have been lavishly expended upon the professed supporters of the Revolution.

In which a number of public officers have been accused by the house of assembly and condemned without being allowed the most valuable privilege that a free people can possess, that of being heard in self-defence or of being specifically informed of the charges to be bro't against them, while the fact cannot but strike every observer of passing events, that among them there does not appear one name of French origin.

In which the share in the representation of the province allotted by the house of assembly to the Eastern Townships is so unequally divided in point of extent of country and of population, that they enjoy a very small proportion in comparison with their more favored fellow subjects of French origin.

In which the inhabitants of this district has been refused the privilege of making Rail Roads upon their application for a charter for that purpose even though at their own expense:

In which the abolition of our local court of Judicature is threatened by which we shall be compelled to resort to some very distant Tribunal for the ordinary and daily process of law, amounting, in fact, to a denial of justice.

When, we repeat the alarming crisis has arrived in which these grievances rise up, we maintain that we are called upon by our regard for the Parent State—by our desire to remain connected therewith—and by the sacred impulse of self defence, to form ourselves into an association, to oppose as far as in us lies the revolutionary attempts of the enemies of the Government.

While it will be a primary object with this association to preserve the constitution in its present form, in conformity with the determination, expressed by the inhabitants of the district of St. Francis upon several occasions, and in particular at a public meeting of Delegates from the counties of Sherbrooke, Stanstead and Shefford in 1829, yet we cannot but feel with anxiety and apprehension, that when the majority of the representative branch, formed almost exclusively of individuals of French origin and unacquainted with the principles of enlightened government, commence the work of undermining the constitution of the province, with the avowed design of separating it from the mother country, and that that majority is unchecked in that design, by the executive of the present day; the time may come, in which we shall no longer be dependent of the United Kingdom of Great Britain and Ireland. Tho' we most earnestly deprecate so lamentable a consummation, and trust and believe that the intelligence and power of the Constitutionalists in the province will be sufficient to prevent it, yet we hereby declare that should such an event ever occur we will never submit to remain subservient to a French Government, under which the feudal Tenure and an antiquated Civil Code, incompatible with the present enlightened age and repudiated by the people from whom it was derived, would be jealously retained.

SAMUEL BROOKS, Chairman.

J. S. WALTON, Secretary.

Sherbrooke, Feb. 13, 1836.

From the Quebec Gazette.

CONTINGENCIES.

The Standing Committee of 'Revenue and Finance' of the House of Assembly, has presented a *First Report*, dated the 10th February instant, signed N. A. Morin, Chairman.

It passes over all the advances made on addresses of the house, up to the 10th October, 1832, under promise of being made good, and which promise has been, and still is, violated by the house, to the amount of tens of thousands of pounds. It however, recommends a bill of appropriation for £6,500, advanced by Lord Aylmer up to the 4th March, 1833, on a like promise, and which it absolutely refused to make good; and also for £22,000, advanced by Lord Gosford on the 11th November last, making £28,500 for three sessions of the Assembly's contingencies alone, without including the pay of its Speaker and the Members, and its regular officers, which may amount to about as much more, or about twenty thousand a-year, (half the expences of the civil Government and administration of Justice,) for stopping improvements and disturbing the country. It descends also to make good one year's expences of the Legislative Council, advanced by Lord Aylmer, viz: £3,358 10s 5d. currency;—that is to say, not quite double the yearly allowance voted by the Assembly to the Hon. Mr. Viger, on his mission to England, and not three times the yearly allowance remitted out of the before-men-

tioned contingencies to J. A. Roebuck, Esq. M. P. for Bath!

It will be curious to see the reception of this bill in the Legislative Council. Will the King's instructions and the resolutions of the Assembly of 1833, requiring all appropriation bills to be in items, be complied with, in the drawing up of this bill for the Assembly? In that case, the Council will, I doubt, agree to the items for the hon. D. B. Viger and J. A. Roebuck. If it be *en bloc*, and contrary to the instructions, will the council *gulp it down*?

The presenting of a bill by the Assembly, is, however, an unwilling homage to the principle which the Assembly required the Governor to violate after their breach of faith, viz;—That no money is to be issued but under the authority of a law. If no law be passed, who will refund the money?

The following address was presented by the Mayor, Aldermen and Common Council of the city of Toronto, to his Excellency Sir Francis Bond Head, with but one dissenting voice:

To his Excellency Sir Francis Bond Head, Knight Commander of the Royal Guelphic Order of Hanover, and of the Prussian Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c.

May it please your Excellency.

We, his Majesty's dutiful and loyal subjects, the Mayor, Aldermen, and Common Council of the city of Toronto, in common Council assembled,

Respectfully beg leave upon the occasion of our accession to office, to congratulate your Excellency upon your appointment by the King to the Government of this valuable portion of the British Empire, and to assure your Excellency that your safe arrival among us has afforded us sincere gratification.

We desire to convey to your Excellency assurances of the devoted attachment of the council and the inhabitants of the city of Toronto to our revered Sovereign and the constitution of the Mother country—and that your Excellency may at all times rely upon the cordial co-operation of this council in carrying into full and efficient operation the laws necessary to insure the peace, welfare and prosperity of this loyal and flourishing city.

To which his Excellency was pleased to make the following reply:

Mr. Mayor and Gentlemen of the Corporation,

I receive with pleasure the personal congratulations you have been good enough to offer me—but it is with feelings of infinitely higher satisfaction that I remark and admire your devoted attachment to our revered Sovereign and to the constitution of our Mother country.

Gentlemen—I hear it daily remarked to me, most particularly by those whose own minds are disturbed, that I am placed in a very critical situation, and that I am surrounded by difficulties almost insurmountable.

I cannot, however, say, that I participate in any such apprehensions. I know that the inhabitants of this province are loyal. I also know that they possess not only good feelings but good sense.

I require no other support. I ask for no other assistance—for I feel confident, that when the broad liberal policy of his Majesty's Government is clearly developed—when the Truth becomes known, that I have no dearer object than impartiality—to correct all real grievances—and to reward allegiance to our beloved Monarch, by cheap and good government—all ranks of people will unite with the capital of Upper Canada loyally offering me that 'cordial co-operation, for which I now beg to return you my best thanks.'

THE INDIAN WAR.

The following intelligence will be read with interest. The report of the capture of Fort King may have grown out of the engagement of which the particulars are given below.

BATTLE NEAR FORT KING,
And repulse of the Indians, with the loss of their Chief and 60 warriors left dead on the field.

Baton Rouge, Jan. 23.—An express arrived here last Thursday night, bringing orders for the immediate departure of the whole of the Troops stationed at this post, for Florida.

An engagement has taken place in the neighborhood of Fort King, between the forces commanded by Col. Clinch and about 600 Indians, whites and negroes. The latter were repulsed, leaving about 60 dead on the field. The Chief is among the slain. The loss on the part of the U. S. troops is supposed to be about 10, among whom are several officers.

Since the foregoing was in type, we have seen the gentleman who brought the express, who informs that there four killed and fifty six wounded of the troops under General Clinch. The General received several shots through his cap and clothing.

The veteran Gen. Scott has already found it necessary to call on the surrounding States for a force of 5000 men, the most of them to be mounted. He considers a less force utterly inadequate to subdue the savage foe.

So adroitly had the Indians managed in cutting off the chain of communication, that Gen. Clinch was utterly ignorant of the butchery of the troops on their way to join him, for weeks after it had occurred.

From the New Orleans American, Jan. 26.—The brig Jane, which has just arrived

reports that she was boarded off the Florida Reef, on the 12th, by a wrecker, who had on board the keepers and their families of the several light houses, who stated that several families had been murdered by the Indians of Florida Keys, and that they were obliged to take refuge on board of the wrecker, having been pursued by the

al suffering to be alleviated...no sudden stroke of penury to be warded off, falling upon the heads of those who have heretofore pursued their walk through life in contented though humble competency. We know of many cases; aged men and women...orphans...widows...& some whose hands have ever been open to give according to their means, now standing in actual painful need of that very benevolence of which they have so often been the ready agents and dispensers, although with the shrinking delicacy of natural refinement they hide their sorrow from the public eye.

For the Mississouli Standard.

The Shefford County Agricultural Society awarded the following premiums on crops, at a meeting held at Frost village on Monday the 1st instant. There was considerable competition, and the specimens exhibited were of an excellent quality, though the quantity produced on an acre was generally much less than last year. Several competitors, however, produced a greater quantity than those to whom the premiums were awarded.

On Wheat.

	B. Qts.
6 Pere Hoskins, Shefford,	29 3
quantity per acre,	
6 Louis Gravelin, Stukeley,	25 7
4 E. M. Fessenden, Shefford,	21 0
On Indian Corn.	
6 Simon Blin, Brome,	54 17
5 A. Nash, Esq. Farnham,	53 8
4 S. Benham, Brome,	51 3
On Rye.	
5 Pere Hoskins, Shefford,	20 16
4 Louis Gravelin, Stukeley,	16 18
3 William Taylor, Shefford,	
On Potatoes.	
5 G. A. Goddard, Shefford,	376
4 A. Knowlton, Esq. do.	337
3 Simon Blin, Brome,	227 1-2
On Oats.	
4 E. Townsend, Shefford,	66 4
3 John Soles, Brome,	57 0
2 Jason Sargeant, Stukeley,	52 6
On Pease.	
4 John Soles, Brome,	21 12
2d & 3d premiums not awarded.	
On Barley.	
None worthy of a premium.	
ROTUS PARMELEE, Sec'y.	
Shefford, February 4, 1836.	

MISSISSOUI STANDARD.

FREELIGHSBURG MARCH 1, 1836.

We candidly confess that we put but little faith in the Assembly's Report on Mr. Felton's case; but the remarks published by that gentleman has induced us to change our previous opinion.

Mr. Felton does not meet several of the charges in the report. He has introduced a deal of matter about 'motives' &c. with which we have nothing to do. He does not explain but slurs over the charge of taking per centage on sales of lands belonging to himself. He also talks of grants to 'my laborers,' will Mr. Felton be pleased to inform the public, how many laborers, on an average, he has been in the habit of employing yearly, since the commencement of settlement, in order that we may have some data, from which to discover the inducements held out to the British Government, for making him agent for settling *three* townships with 'my laborers' alone? 'No blame can attach to me,' says he, 'for settling upon my grants, as I was bound to do, persons who preferred buying land to obtaining it gratis.' What does the hon. gentleman mean by that? a fact is here admitted, that land could have been obtained gratis, does he then mean to say that people would prefer buying land to obtaining it gratis? If so, we doubt not but that he was 'bound' to settle such persons on their purchases. He alludes also to what he is pleased to style 'the persecution' against him. We do not think that an impartial enquiry into the conduct of public officers can be justly called 'persecution'; but let that pass. He surely must be aware that he states what is not consistent with fact, when he speaks of the 'origin of the persecution' being 'traced to feelings growing out of a contest in the election for Sherbrooke.' He must remember that complaints against him have been general through the whole Townships, for several years past, and that a petition signed by at least 600 persons was presented to the Assembly in 1834. This petition, or 'persecution,' was stifled for reasons, which it is probable the hon. gentleman may be fully acquainted with. We have inserted his 'remarks' as a matter of justice, & as a matter of justice we copy the following from a writer in the Farmer's Advocate and perhaps shall take an early opportunity of copying the whole.

'He wholly leaves unnoticed the subject of false returns of settlement duties, in his reports, and says nothing about obtaining lands from settlers, under false pretences, granted them by the Crown. The Gen-

tleman states that he has been persecuted, and attributes this persecution to the rancor and malice of personal vengeance. When he shall have fully cleared himself from the charges bro't against him, it will be quite time to assert that he has been thus persecuted, as however the personal feelings of those who have exposed him, can neither advance or retard his vindication, it is useless to go into their examination; I shall therefore in reference to these charges of the hon. Gentleman, content myself for the present by giving them a direct denial, knowing that they have no other existence except in the gentleman's imagination.

The course pursued by Mr. Felton, while resident in the Townships, and acting under cover of authority, has been the prolific cause of Radicalism—whatever of disaffection towards the Government there may have existed here, has been generated by the unwarrantable proceedings of this Gentleman. He has abused the confidence of the Crown—he has diverted its bounty intended for worthy and needy settlers, to his own pockets....he has fleeced his Majesty's loyal subjects, while confiding in him as the agent of Government—he has made false reports in his official communications with the Government—he has retarded the settlement and improvement of the country—he has obtained large grants of land from the Crown under false pretences. Charges upon most or all of these subjects have been brought against him, and fully supported by documentary evidence and unexceptionable testimony. In the face of all these facts, Mr. Felton has sent to various individuals here, his appeal and defence, containing statements and assertions known to be wholly unfounded, adding insult to injury. If after all this, he, the said William Bowman Felton, shall be suffered to escape the punishment which he so richly deserves as being guilty of such high crimes and misdemeanors—why then indeed can I only say that those persons who have taken upon themselves the unpleasant task of exposing the hon. gentleman's conduct have fully performed their duty as good and loyal subjects, to his Majesty. But that unfortunately for the peace, quiet and well being of his Majesty's faithful subjects in the Townships, his Majesty's Representatives in this province has failed to perform his bounden duty to his King and country, and we shall see fully exemplified, what we have heretofore strongly denied, to wit; the assertion of the disloyal public Officers in this province, are not amenable for their conduct, but that they are and will be permitted under any circumstances to escape with impunity.

JUSTICE.

Mr. Felton has petitioned for an investigation, and we hope that he will meet with one, on which when finished he may receive ample justice.

We shall merely add that the remarks about 'my laborers' were not intended for the Townships, where the idea creates more surprise than credence.

There is one to us inexplicable fact, that Mr. Felton is the only Councillor & public officer who has escaped the virulence of the 'French origin' party, although complaints from the 'English or foreign origin' party have more than once been made against him. Will the honorable gentleman explain?

His Excellency has sent down a message to the Assembly with a corrected and revised edition of the instructions laid before the U. C. Assembly by Sir Francis B. Head. The Earl's message contains some important additions. It also contains a *nota bene* at the bottom, that the Earl meant what he said in the opening speech, thus giving 'Camillus' indirect praise for defending him against a journal which insinuated that he did not mean what he said. This is it should be,—we mean the praise; the fact is abominable. A British peer, clothed with the dignity of a British King, thinks it necessary to declare to his parliament, that he did not think one thing and speak another in his speech from the throne. Disgusting!

Some of our contemporaries are endeavoring to find out the reason, why the Assembly are staying off the consideration of the Supply Bill. The *Canadien* says that the *clique* is split into three different parties, each holding different opinions; but we say, that the initiated are waiting for 'precise instructions' from pensioner Roebuck, and the uninitiated may amuse themselves, by forming as many parties as they conveniently can, until the receipt of said 'instructions.'

According to promise, we have given a copy, letter for letter, of what we believe to be an authentic and original article, from the pen of a Bailiff M. P. P. The handwriting, kakography and peculiar manner of mixing capital and small letters together, are all and each of them so entirely like that individual's writing, that it cannot be doubted by any one acquainted with it, that the article is in reality, what we take it to be.

To remove doubts from the sceptical, we shall be happy to shew it to all comers

gratis, when we shall have got it framed and glazed.

Our Quebec exchanges have our thanks, for furnishing us with the outlines of the debates, and we are heartily glad to be able partially to reciprocate.

Here follows the article:

Mr Speaker—it is well known to this Honorable house that on the 1st day of December last, I moved an address, to His Excellency the Governor in Chief Praising him to cause the proper officers to Lay before this house, the documents Relating to the Execution of a Courthouse and Gaol in the County of Mississipi, And also one, praying his Excellency to appoint me a Justice of the peace for the aforesaid County; with both which requests, His Excellency has with the most daring contempt and effrontery refused to comply; then Mr Speaker has His Excellency been guilty of a high contempt and Misdeameour, and for which I now declare my intention on Saturday next, to bring in a Bill of impeachment

We have received, and have put into the stove, several loose anonymous papers which wag left for us.

We understand that some fishermen, whilst drawing the seine in the harbour of Presque Isle, District of Newcastle, Lake Ontario, in the month of November last brought on shore part of the wreck of a vessel, together with some human bones. It is supposed to be part of the wreck of his Majesty's packet, the Speedy, Captain Thomas Paxton Commander, which foundered in or about that place on the night of the 9th of October, 1834; and as we have not heard of any vessel being lost there since that time it is reasonable to suppose that it may be so.

There were upwards of thirty individuals on board, who all at the same time found a watery grave. Among the passengers were the Judge and other members of the Court, who were proceeding to the Newcastle district for the purpose of holding the Assizes.—*Canadian Emigrant*.

In the West Parish of St. Armand, on Sunday evening, the 21st ult., the lady of Daniel Campbell, Esquire, of a Son.

At St. Armand West, on the 20th ultimo, Daniel J., son of Mr. George Jones, aged 2 years.

Died.

At St. Armand West, on the 20th ultimo, Daniel J., son of Mr. George Jones, aged 2 years.

JUST Published, and for sale at this office, A defence of the Temperance Society,

in answer to the objections of the Rev. BISHOP HOPKINS.

By the Rev. JAMES REID, Rector of Trinity Church, St. Armand East.

Price 10 cents; or 6 pence.

For Sale or To Let,

THE premises owned and formerly occupied by the subscriber in the Village of Freleighsburg, consisting of a good two story dwelling house, garden, and a commodious horse barn.

For terms enquire of Dr. J. Chamberlin, Freleighsburg or of the subscriber in Sutton.

HENRY BRIGHT.

Freleighsburg, March 1 1836. 47—tf.

Notice.

Is hereby given to all those that have any Claims against the Estate of the late

David Partelow,

Deceased, in his life time of Noyan, County of Rouville, to file such demands duly authenticated to the undersigned, at his house in Noyan, or before the first day of April next, for liquidation, and all those that are indebted to said Estate to make payment on or before the first day of May next.

SETH WARNER.

Tutor to the Minors of the late

DAVID PARTELLO.

Henryville, Feb. 17th 1836. 47—4w.

Notice.

All persons indebted to the Estate of the late George Cook, Esquire, will find it for their interest to make prompt payment. All notes and accounts will be left for collection without further notice.

JANE COOK, Executrix.

St. Armand, March 1 1836. 47 tf

Public Notice

Is hereby given, that all claims, demands, or accounts against the Estate of the late

John Armington Rhodes, Esq.,

in his life time of St. Armand, and Province of Lower Canada, shall be presented for adjustment to W. W. SMITH, Esquire, at Philipsburg, St. Armand, on or before the 15th day of March next.

In default of which, they the said claimants or any of them, will be for ever thereafter barred from any claim or demand against the said Estate.

LUCY MATTOCKS,

Tutrix.

W. W. SMITH, Subtutor.

Philipsburg, Feb. 15th, 1836. 46—3w.

50,000 CEDAR RAILS wanted in exchange for cash.

W. W. SMITH.

Mississouli Bay, 15th Feb. 1836. 46—tf

JAMES RUSSELL.

St. Albans, Oct. 27, 1835. 46—tf

Star Tavern,



New Market, Montreal.

William Brown,

THANKFUL for past favors, would respectfully intimate to his former customers, friends, and the public in general, that he has leased and will occupy, on the 1st of May next, the house at present occupied by Mr. John Murphy, one door below his present Stand, having more extensive and better accommodations than heretofore, together with an addition of yard and stabling.

The Stand being very near the Courts of Justice, and proximate to the market offers great inducement to the man of business or pleasure, & he hopes by unrewarded attention to his customers to merit a continuance of their favors.

January 27, 1836. 46—12w.

Taken Up

ON Friday last the 12th instant, a middling sized BAY HORSE, the owner is requested to pay charges and take him away.

B. WHITNEY

St. Armand Feb. 12, 1836 45 3w.

Notice.

All persons indebted to the Estate of the late John Church, Jr. and Consort, are hereby notified that their Notes and Accounts will be placed in the hands of an Attorney, for immediate collection, without further notice.

J. CHAMBERLIN, Executors SAMUEL WOOD, & Tutors Churchville, 6th Feb. 1836. 44

CASH, and a liberal price, paid for PORK, WHEAT, CORN, OATS, RYE, PEAS, BEANS, & FLAX SEED, by

W. W. SMITH.

Mississouli Bay. 36—tf.

THE subscriber will pay CASH for PORK, BUTTER, WHEAT and OATS.

H. M. CHANDLER.

Freleighsburg, Dec. 15th 1835. 36—tf.

SAW-MILL FOR SALE.

TO be sold, a Saw Mill, near Cooksville, in excellent repair, with twenty five acres of land attached, if required. Apply to

MRS. JANE COOK.

Cooksville, St. Armand, 26th Dec. 1835. 35

POST OFFICE,

Freleighsburg, 25th Jan. 1836

THE Deputy Post Master General having established an additional Mail between this Office and Philipsburg, the mail from Montreal will arrive at this office Wednesday and Saturday mornings, instead of Tuesdays, as heretofore. Persons wishing to send letters by mail, and receive answers to and from Montreal, the same

The mail for Montreal will be made up Tues day and Friday, at 8 o'clock, A. M., until fur ther notice. All letters and packages delivered after that hour, will remain unmailed until the next mail.

J. CHAMBERLIN, Post Master.

FOR SALE,

THAT well known TAVERN STAND, in the village of Freleighsburg, situated in the corner, between Main and South streets. It is probably not saying too much to assert, that there is not a more substantial and well-built house in the county; nor one, the situation of which is more PLEASANT or CENTRAL for any public business.

A L S O,

POETRY.

The Siege of Woman's heart.

Woman's heart long had stood
With invincible mood
All the shots of young Cupid's gay train ;
When he told them, his will
Was to muster and drill
His troops for another campaign.

Wit, a smart young cadet,
Who was quite Cupid's pet,
Gaily sported his figures of speech ;
But his grand coup-de-main
Proved a flash in the pan ;
For it fail'd in effecting a breach.

'Twas Folly's desire
By a brisk running fire
To storm the weak side of the town ;
But his guns only broke
Into smother and smoke ;
So they never could batter it down.

Reason's gait was so starch,
And so awkward his march,
By the mess he was voted a bore !
Such a figure he made
At review and parade,
That they had him drumm'd out of the corps !

But they found to their cost
What a friend they had lost ;
For Woman's heart never would yield :—
Love, Folly and Wit,
Seldom made a good hit,
When Reason was out of the field.

So the chivalrous friends
Made ample amends
To their comrade for all that was past ;
They united their force ;
Were triumphant of course,
And the castle surrendered at last !

THE SMUGGLER.

(Concluded.)

But while such feelings passed through his mind, others of a kindred character had crept into the bosom of Fanny, and she sighed when she thought that in a few weeks she should see him no more, that even her face he might not see, and that her name he never must know; and fears for her father's safety mingled with the feelings which the stranger had awakened in her bosom. She had beheld the anxiety that glowed in his dark eyes,—she had listened to his impassionate words,—she felt their importunity,—but duty forbade her to acknowledge that she felt it.

Eight weeks had passed, the wounds of Augustus were nearly healed, his health was restored and his strength returned, and Harry said that in another week he might depart, but the announcement gave no joy to him to whom it was addressed. His confinement had been robbed of its solitariness, it had become as a dream in which he delighted, and he could have asked but permission to gaze upon the face of his companion to endure it for ever. About an hour after he received this intelligence, Fanny entered the apartment. He rose to meet her,—he took her hand and they sat down together. But her heart lay untouched,—she spoke little, —he thought she sighed, and he, too, was silent.

'Lady,' said he anxiously, still holding her hand in his, 'I know not where I am, nor by whom I am surrounded—this only I know, that you with an angel's care have watched over me, that you have restored me to health, and rendered confinement more grateful than liberty; but in a few days we must part,—part perhaps for ever; then before I go grant me but one request—let me look upon the face of her whose remembrance will dwell in my heart as its dearest thought, while the pulse of life throbs within it.'

'I must not—I dare not,' said Fanny, and she paused and sighed, 'tis not worth looking,' she added.

'Nay, dearest,' continued he, 'deny me not—it is a small request. Fear nothing—never shall danger fall upon any connected with you through me. I will swear to you'

'Swear not!' interrupted Fanny, 'I dare not!—no!—no!' and she again sighed.

He pressed her hand more closely within his. A breathless silence followed, and a tear glistened in his eyes. Her bosom heaved. Her countenance bespoke the struggle that warred in her breast.

'Do I look as one who would betray your friends?' said he with emotion.

'No,' she faltered, and her head fell on her bosom.

He placed his hand across her shoulders, it touched the ribbon by which the deep folds of the veil were fastened over her head. It was the impulse of a moment, he unloosed it, the veil fell upon the floor, and the fair locks and the lovely features of Fanny Teasdale were revealed. Augustus started in admiration. For weeks he had conjured up phantoms of ideal beauty, but the fair face before him exceeded them all. She blushed—her countenance bespoke anxiety rather than anger, tears fell down her cheeks, and he kissed them away. He sat, silently gazing on her features, drawing happiness from her eyes.

Again ten days had passed, and during each of them Fanny, in the absence of her father, sat unveiled by his side. Still he knew not her name, and when he entreated her to pronounce it she wept, and replied, 'I dare not.'

He had told her his. 'Call me your Augustus,' said he, 'and tell me by what name I shall call you my own? Come dearest—do you doubt me still? Do you still think me capable of the part of an informer?'

But she wept the more, for she knew that to tell her name was to make known her father's also,—to betray him, and to place his life in jeopardy. He urged her yet more earnestly, and he had sunk upon his knee and was pressing her hand to his lips, when Harry in the disguise in which he had al-

ways seen him, entered the room. The smuggler started back.

'What! cried he sternly, 'what hast thou done girl?...shewn thy face and betrayed me?—and told thy name and mine too I suppose?'

'O no! no! dear father!' she exclaimed, flinging her arms around him, 'I have not indeed I have not. Do not be angry with your Fanny.'

'Fanny! hastily exclaimed Augustus, 'Fanny!...bless thee for that word.'

'That thou mayest make it a clue to destroy her father!' returned the smuggler.

'No Sir,' answered Augustus proudly, 'but that I may treasure it up in my heart, as the name of one who is dearer to me than the life which thou hast preserved.'

'Aye! aye! replied Harry, 'thou talkest like every hot-headed youth, but it was an ungrateful return in thee for preserving thy life to destroy my peace. Get thee ben to the other room Fanny, for thou'st been a silly girl.'

She rose weeping and withdrew.

'Now Sir,' continued Harry, 'thou must remain no longer under this roof. This very hour will I get a horse ready, and conduct thee to where ye can go to your friends, or wherever ye like; and as ye were brought blind-folded here, ye maun consent to be taken blind-folded away.'

'Nay, trust to my honour Sir,' said Augustus—'I am incapable of betraying you.'

'I'm no sae sure about that,' returned the smuggler, 'and it's best to be sure. I trus to your honor that ye wad ask no questions while here,—and how have ye kept your honor? Na, lad, na!—what ye dinna see ye winna be able to swear to. So make ready.' Thus saying, Harry left the apartment, locking the door behind him.

It was about an hour after night-fall, and within ten minutes the smuggler again entered the room. He carried a pistol in one hand, and a silk handkerchief in the other. He placed the pistol upon the table and said—'I have no time to argue—allow me to thy eyes up, lest worse follow.'

Augustus requested that he might see Fanny but for a few minutes, and he would comply without a murmur.

'No,' said Harry sternly, 'wouldst tamper with my child's heart, when her trusting in thee would place my life in thy power? Say no more—I wont hear thee, he continued, again raising the pistol in his hand.

Augustus finding expostulation vain, submitted to have his eyes bound up, and as the smuggler was leading him from the house, the bitter sobs of Fanny reached his ear, he was almost tempted to burst from the grasp of his conductor and rush towards her, but endeavouring to suppress the tumult of his feelings he exclaimed aloud—

'Forget me not, dear Fanny,—we shall meet again.'

'Never! whispered Harry in his ear.

The smuggler's horse stood ready at the door. In a moment he sprung upon the saddle—(if saddle it could be called)—and taking Augustus by the hand placed him behind him; and at a word spoken, the well-trained animal started off, as though spurs had been dashed into its side. For several hours they galloped on, but in what direction Augustus knew not, nor wist he from whence he had been brought. At length the smuggler suddenly drew up his horse, and exclaimed—'Dismount!'

Augustus obeyd, but scarce had his feet touched the ground, when Harry crying—'Farewell,' dashed away as an arrow shot from a bow, and before the other could unfasten the handkerchief with which his eyes were bound up, the horse and its rider were invisible.

It was drawing towards grey dawn, and he knew neither where he was nor in what direction to proceed. He remembered also that he was without money—but there was something heavy tied in a corner of the handkerchief, which he yet held in his hand. He examined it, and found ten guineas, wrapt in a scrap of paper, on which some words seemed to be written. He longed for day, that he might be enabled to read them, and as the light increased, he deciphered written with a trembling hand—

'You may need money....Think sometimes of me!'

'Heaven bless thee my unknown Fanny! cried he, 'whoever thou art—never will I think of any but thee.'

I need not tell about his discovering in what part of the country the smuggler had left him, of his journey to his father's house in Devonshire, or his relation of what had befallen him, nor how he dwelt upon the remembrance of Fanny, and vainly endeavoured to trace where her residence was, or to discover what was her name beyond Fanny.

He was appointed to the command of a cutter, and four years passed from the period of the scenes that had been described when, following in pursuit of a smuggling vessel, he again arrived upon the coast of Northumberland. Some of his crew, who had been on shore, brought him information that the vessel was delivering her cargo near Embleton, and ordering two boats to be manned, he instantly proceeded to the land. They came upon the smugglers—a scuffle ensued, and one of Captain Hartly's men was stabbed by his side with a clasp-knife, and fell dead at his feet; and he had wrenched the knife from the hand of the murderer, who, with his companions, effected his escape without being discovered.

Harry's servant-girl was examined, and although she swore that on the night on which the murder was committed he had not been out of his own house, yet in her cross-examination she admitted, that he

But day had not yet broke when two constables knocked at the door of Harry Teasdale, and demanded admission. The servant-girl opened the door—they rushed into the house, and to the side of the bed where he slept. They grasped him by the shoulder and exclaimed—

'You are our prisoner!'

'Your prisoner!' replied Harry, 'for what, neighbors?'

'Weel dow ye knew for what,' was the answer.

Harry sprang upon the floor, and in the excitement of the moment he raised his hand to strike the officer of the law.

'Ye are only making things worse,' said one of them, and he submitted to have handcuffs placed upon his wrists.

Fanny sprang into the room, exclaiming—

'My father!—my father! and flinging her arms around his neck....O! what is it?—what is it?' she continued breathlessly, and her voice choked with sobbing—'what do they say that you have done?'

'Nothing love, nothing,' said he, endeavouring to be calm—it is some mistake, but some one shall answer for it.'

His daughter's arms were forcibly torn from around his neck, and he was taken before a neighboring magistrate, by whom the deposition of Captain Hartly had been received. Harry was that morning committed to the county prison on a charge of murder. I shall neither attempt to describe his feelings, nor will I dwell upon the agony which the clergyman briefly stated that he had been sent for on the previous evening to attend the death-bed of an individual whom he named, and who had been wounded in the affray with Captain Hartly's crew, and that in his presence, and in the presence of the other witnesses who then stood by his side, a deposition had been taken down from his lips an hour before his death. The deposition or confession was handed into court, and it set forth that his hand struck the fatal blow, and with Harry Teasdale's knife, which he had found lying upon the stern of his boat on the afternoon of the day on which the deed was committed—and farther, that Harry was not upon the beach that night.

The clergyman briefly stated that he had been sent for on the previous evening to attend the death-bed of an individual whom he named, and who had been wounded in the affray with Captain Hartly's crew, and that in his presence, and in the presence of the other witnesses who then stood by his side, a deposition had been taken down from his lips an hour before his death. The deposition or confession was handed into court, and it set forth that his hand struck the fatal blow, and with Harry Teasdale's knife, which he had found lying upon the stern of his boat on the afternoon of the day on which the deed was committed—and farther, that Harry was not upon the beach that night.

The jury looked for a moment at each other, they instantly rose, and their foreman pronounced the prisoner 'Not guilty.' A loud and spontaneous shout burst from the multitude. Captain Hartly sprang forward, —he grasped his hand.

'I forgive thee lad,' said Harry.

Hartly led him from the dock,—he conducted him to Fanny, whom he had taken to an adjoining inn.

'Here is your father!—he is safe!—he is safe my love!' cried Augustus, as he kissed her brow and said 'Bless thee.'

'And canst thou bless me too,' said Augustus, 'after all that I have done?'

'Well, well, I see how it is to be,' said Harry, and he took their hands and placed them in each other. I need only add that Fanny Teasdale became the happy wife of Augustus Hartly, and Harry having acquired a competency, gave up the trade of a smuggler.

The jury looked for a moment at each other, they instantly rose, and their foreman pronounced the prisoner 'Not guilty.'

A loud and spontaneous shout burst from the multitude. Captain Hartly sprang forward, —he grasped his hand.

'I forgive thee lad,' said Harry.

Hartly led him from the dock,—he conducted him to Fanny, whom he had taken to an adjoining inn.

'Here is your father!—he is safe!—he is safe my love!' cried Augustus, as he kissed her brow and said 'Bless thee.'

Fanny wept on her father's bosom, and he kissed her brow and said 'Bless thee.'

'And canst thou bless me too,' said Augustus, 'after all that I have done?'

'Well, well, I see how it is to be,' said Harry, and he took their hands and placed them in each other. I need only add that Fanny Teasdale became the happy wife of Augustus Hartly, and Harry having acquired a competency, gave up the trade of a smuggler.

The jury looked for a moment at each other, they instantly rose, and their foreman pronounced the prisoner 'Not guilty.'

A loud and spontaneous shout burst from the multitude. Captain Hartly sprang forward, —he grasped his hand.

'I forgive thee lad,' said Harry.

Hartly led him from the dock,—he conducted him to Fanny, whom he had taken to an adjoining inn.

'Here is your father!—he is safe!—he is safe my love!' cried Augustus, as he kissed her brow and said 'Bless thee.'

Fanny was led towards the witness-box—there was a buzz of admiration and of pity as she passed along. Captain Hartly held her—he clasped his hands together—'Gracious Heavens! my own Fanny!' he exclaimed aloud.

He sprang forward, he stood by her side. Her head fell on his bosom. 'My lord!—O my lord!' he cried wildly, addressing the judge, 'I doubt—I disbelieve my own evidence! There must be some mistake. I cannot be the murderer of the man who saved me—of my Fanny's father!'

The most anxious excitement prevailed throughout the court—every individual was moved, and on the bench faces were turned aside to conceal a tear.

The Judge endeavoured to restore order. The shock of meeting with Augustus, in such a place and in such an hour, though she knew not that he was her father's accuser, added to her agony, was too much for Fanny, and in a state of insensibility was carried out of the court.

Harry's servant-girl was examined, and although she swore that on the night on which the murder was committed he had not been out of his own house, yet in her cross-examination she admitted, that he

frequently was out during the night without her knowledge, and that he might have been so on the night in question—Other witnesses were called, who spoke of the excellent character of the prisoner, and to his often-proved courage and humanity, but they could not prove that he had not been engaged in the affray in which the murderer had been committed.

Captain Hartly strove anxiously to undo the impression which his evidence had already produced, but it was too late.

The Judge addressed the jury and began to sum up the evidence. He remarked upon the knife with which the deed was perpetrated being proved and acknowledged to be the property of the prisoner—of its being seen in his hand on the same day, and of his admitting the fact...on the resemblance of his figure to that of the individual who was seen to strike the blow, and on his inability to prove that he was not that individual. He was proceeding to notice the singular scene that had occurred with regard to the principal witness and the prisoner, when a shout was heard from the court-door, and a gentleman, dressed as a clergyman, pressed through the crowd, and reaching the side of the prisoner, he exclaimed—'My lord, and gentlemen of the jury—the prisoner Harry Teasdale, is innocent!'

'Thank Heaven!' exclaimed Captain Hartly.

The spectators burst into a shout which the judge instantly suppressed, and desired the clergyman to be sworn, and to produce his evidence. 'We are here to give it,' said two others who had followed behind him.

The clergyman briefly stated that he had been sent for on the previous evening to attend the death-bed of an individual whom he named, and who had been wounded in the affray with Captain Hartly's crew, and that in his presence, and in the presence of the other witnesses who then stood by his side, a deposition had been taken down from his lips an hour before his death.

The clergyman briefly stated that he had been sent for on the previous evening to attend the death-bed of an individual whom he named, and who had been wounded in the affray with Captain Hartly's crew, and that in his presence, and in the presence of the other witnesses who then stood by his side, a deposition had been taken down from his lips an hour before his death.

The clergyman briefly stated that he had been sent for on the previous evening to attend the death-bed of an individual whom he named, and who had been wounded in the affray with Captain Hartly's crew, and that in his presence, and in the presence of the other witnesses who then stood by his side, a deposition had been taken down from his lips an hour before his death.

The clergyman briefly stated that he had been sent for on the previous evening to attend the death-bed of an individual whom he named, and who had been wounded in the affray with Captain Hartly's crew, and that in his presence, and in the presence of the other witnesses who then stood by his side, a deposition had been taken down from his lips an hour before his death.

The clergyman briefly stated that he had been sent for on the previous evening to attend the death-bed of an individual whom he named, and who had been wounded in the affray with Captain Hartly's crew, and that in his presence, and in the presence of the other witnesses who then stood by his side, a deposition had been taken down from his lips an hour before his death.

The clergyman briefly stated that he had been sent for on the previous evening to attend the death-bed of an individual whom he named, and who had been wounded in the affray with Captain Hartly's crew, and that in his presence, and in the presence of the other witnesses who then stood by his side, a deposition had been taken down from his lips an hour before his death.

The clergyman briefly stated that he had been sent for on the previous evening to attend the death-bed of an individual whom he named, and who had been wounded in the affray with Captain Hartly's crew, and that in his presence, and in the presence of the other witnesses who then stood by his side, a deposition had been taken down from his lips an hour before